



PATENT  
1340-1-017

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: ELAINE I. TUOMANEN ET AL.

SERIAL NO.: 09/056,019 EXAMINER:

FILED: April 7, 1998 ART UNIT: 1615

FOR: A POLYPEPTIDE COMPRISING THE AMINO ACID OF AN N-TERMINAL CHOLINE BINDING PROTEIN A TRUNCATE, VACCINE DERIVED THEREFROM AND USES THEREOF

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231 on August 24, 1998.

Mark S. Cohen, Reg. No. 42,425  
(Name of Registered Representative)

  
(Signature and Date)

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

RECEIVED  
SEP 24 1998  
GROUP 1800

ATTENTION: BOX MISSING PARTS

Sir:

Responsive to the Notice of File Missing Parts of Application dated April 22, 1998, (copy enclosed) under 37 CFR 1.53(d), Applicants submit herewith the following:

1. An executed Declaration and Power of Attorney in two counterparts making reference to the above-identified application, and in compliance with 37 C.F.R. 1.63.
2. A Petition for a Two-Month Extension of Time under 37 CFR 1.136(a), including the a check in the amount of \$400.00 for the Fee for Two-Month Extension of time under 37 CFR 1.17(a)(large entity).
3. A check in the amount of \$1,844.00, covering the following:
  - (a) Filing Fee under 37 CFR 1.16 (including multiple dependent claims) \$1,714.00 (large entity);
  - (b) Surcharge under 37 CFR 1.16 \$130.00 (large entity).

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The time set for this response is August 24, 1998, as August 22 fell on a Saturday.

Applicants hereby authorize that any charges in addition to the above authorized that relate to the filing and processing of the present Application in accordance with 37 CFR 1.16 and 1.17 may be charged to Deposit Account No. 11-1153. A duplicate copy of this letter is provided for this purpose.

Respectfully submitted,



Mark S. Cohen  
Attorney for Applicants  
Registration No. 42,425

KLAUBER & JACKSON  
411 Hackensack Avenue  
Hackensack, NJ 07601  
Tel: (201) 487-5800



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
WASHINGTON, D.C. 20231

APPLICATION NUMBER	RECEIPT DATE	FIRST NAME APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/056,019 04/07/98 TOUMANEN 1615

E 1340-1-1027

0262/0422

04/23/98

DAVID A JACKSON  
KLAUBER & JACKSON  
411 HACKENSACK AVENUE  
HACKENSACK NJ 07601

NOT ASSIGNED

1615

04/22/98

DATE MAILED:

**NOTICE TO FILE MISSING PARTS OF APPLICATION**

*Filing Date Granted*

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.138(a). If any of Items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of  \$65.00 for a small entity in compliance with 37 CFR 1.27, or  \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

*If all required items on this form are filed within the period set above, the total amount owed by applicant as a small entity (statement filed)  non-small entity is \$ 130.00*

1. The statutory basic filing fee is:

missing.  
 insufficient.

Applicant must submit \$ 790 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

2. Additional claim fees of \$ 803, including any multiple dependent claim fees, are required.

\$ 167 for 1 independent claims over 3.

\$ 639 for 21 dependent claims over 20.

\$ 1 for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

3. The oath or declaration:

is missing or unexecuted.

does not cover the newly submitted items.

does not identify the application to which it applies.

does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the  inventor(s), identifying this application by the above Application Number and Filing Date, is required.

6. A \$59.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

295.00

300.00

7. Your filing receipt was mailed in error because your check was returned without payment.

136.00

8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

*A copy of this notice MUST be returned with the reply.*

*Customer Service Center*  
Initial-Patent Examination Division (7000) 30A-1200

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**BEST AVAILABLE COPY**